

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
**UNITED STATES OF AMERICA**

- against -

**JOHN MELICHAREK, et al.,**

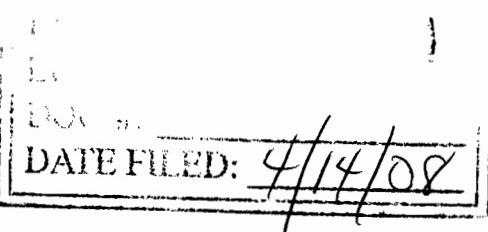
**Defendants.**

----- X  
**SHIRA A. SCHEINDLIN, U.S.D.J.:**

For the reasons stated at the conference on April 7, 2008, the Court hereby grants defendants' motions to sever Counts One and Two of the Indictment from all of the remaining counts. Defendant Pipolo's motion to sever his trial from that of his remaining co-defendants is denied without prejudice to renew after a decision on the expected motions regarding the admissibility of evidence concerning organized crime.

The trial on Counts Three through Nine will proceed on July 7, 2008. The trial on all remaining counts will proceed directly thereafter.

The Court having resolved defendants' other motions at that conference, the Clerk of the Court is hereby directed to close those motions (nos. 54, 59, 62, and 66 on the docket sheet). Additionally, on an earlier date the Court resolved certain motions filed by defendant Iuni with respect to the conditions of

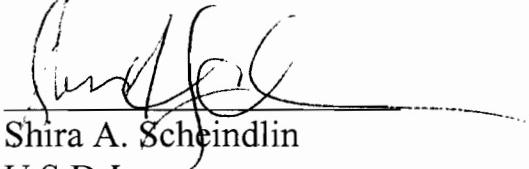


**ORDER**

**07 Cr. 907 (SAS)**

his bail. The Clerk of the Court is directed to close those motions (nos. 15 and 40 on the docket sheet).

SO ORDERED:



Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
April 11, 2008

**- Appearances -**

**For Defendant Melicharek:**

Barry Levin, Esq.  
666 Old Country Road  
Garden City, New York 11530  
(516) 222-4502

**For Defendant Iuni:**

Alan M. Nelson, Esq.  
3000 Marcus Avenue, Suite 1E5  
Lake Success, New York 11042  
(516) 328-6200

**For Defendant Nicosia:**

Daniel Welsh, Esq.  
551 Summit Avenue  
Jersey City, New Jersey 07306  
(201) 798-4100

**For the Government:**

Elie Honig  
Jonathan Brian New  
Assistant United States Attorneys  
One St. Andrew's Plaza  
New York, New York 10007  
(212) 637-2474

**For Defendant Pipolo:**

Gerald B. Lefcourt, Esq.  
Sheryl E. Reich, Esq.  
Gerald B. Lefcourt, P.C.  
148 East 78th Street  
New York, New York 10021  
(212) 737-0400

**For Defendant Gjelaj:**

David Stern, Esq.  
100 Lafayette St., Suite 501  
New York, New York 10013  
(212) 571-5500

**For Defendant Memoli:**

Martine Beamon, Esq.  
Jared Winnick, Esq.  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, New York 10017  
(212) 450-4410